



Entered on Docket  
June 08, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re

JOSE E COSIO-GALINDO ,

Debtor(s).

BK-S-10-10096-lbr  
Chapter 7

ORDER ON STIPULATION  
TERMINATING AUTOMATIC STAY

The parties having agreed to the terms set forth in the Stipulation Terminating Automatic Stay are bound by the terms of their stipulation, which shall be the Order of this Court.

APPROVED/DISAPPROVED      APPROVED

\_\_\_\_\_/s/ Joseph B. Atkins

ANTHONY DELUCA                      JOSEPH B. ATKINS  
DEBTOR(S) ATTORNEY              TRUSTEE

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☒ Approved. - Debtor(s) Trustee

☐ Disapproved. - Debtor(s) Attorney/Trustee

☒ Failed to respond. - Debtor(s) Attorney

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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Attorneys for Secured Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE,  
9 SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL  
10 ASSOCIATION AS SUCCESSOR BY MERGER TO LASALLE BANK  
11 NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS  
OF BEAR STEARNS ASSET BACKED SECURITIES I LLC, ASSET  
BACKED-CERTIFICATES, SERIES 2006-HE2

12 UNITED STATES BANKRUPTCY COURT  
13 DISTRICT OF NEVADA

14 In re  
15 JOSE E COSIO-GALINDO,  
16

Bankruptcy Case No. BK-S-10-10096-lbr  
Chapter 7

STIPULATION TERMINATING  
AUTOMATIC STAY

17  
18 Debtor(s).  
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20 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO  
21 BANK OF AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY MERGER TO  
22 LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS  
23 OF BEAR STEARNS ASSET BACKED SECURITIES I LLC, ASSET BACKED-  
24 CERTIFICATES, SERIES 2006-HE2 (hereinafter "Movant"); Debtor, Jose E Cosio-Galindo, by and  
25 through their respective attorneys of record; and Joseph B. Atkins, Chapter 7 Trustee, in the within  
26 matter, hereby agree to the following Stipulated Order Terminating the Automatic Stay in regard to  
27 the Real Property commonly described as 5345 Okaloosa Drive, Las Vegas, Nevada 89120  
28 (hereinafter the "Real Property"), which is more fully described in the Deed of Trust. A true and

1 correct copy of the Deed of Trust is attached hereto as exhibit A and incorporated herein by  
2 reference, and which is the subject of this Stipulation.

3 **IT IS HEREBY STIPULATED THAT:**

4 1. The automatic stay of 11 United States Code section 362 is hereby terminated , as it  
5 applies to the enforcement by Movant of all of its rights in the Real Property under the Note and  
6 Deed of Trust;

7 2. Movant may offer and provide Debtor with information re: a potential Forbearance  
8 Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation  
9 Agreement, and may enter into such agreement with Debtor. However, Movant may not enforce, or  
10 threaten to enforce, any personal liability against Debtor if Debtor's personal liability is discharged  
11 in this bankruptcy case;

12 3. This Order shall be binding and effective in any bankruptcy case commenced by or  
13 against the Debtor for a period of 180 days from the hearing of this motion;

14 4. This Order shall be binding and effective as to the Real Property in any pending  
15 and/or subsequently filed bankruptcy case(s), no matter who the debtor may be, for a period of 180  
16 days from the date this Order is entered;

17 5. The 14-day stay of Federal Rule of Bankruptcy Procedure 4001(a)(3) is waived;

18 6. Movant is authorized to foreclose its security interest in the Real Property under the  
19 terms of the Note and Deed of Trust, and pursuant to applicable state law;

20 7. Post-petition attorneys' fees and costs for the within motion may be added to the  
21 outstanding balance of the subject Note as allowed under applicable non-bankruptcy law;

22 8. Upon foreclosure, in the event Debtor fails to vacate the Property, Movant may  
23 proceed in State Court for unlawful detainer pursuant to applicable state law; and

24 9. This Order shall remain binding and effective in any conversion of this case to  
25 another chapter under the bankruptcy code.

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**IT IS SO STIPULATED:**

RITE DUNCAN, LLP

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Dated: May 17, 2011

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By: /s/ Matthew M. McArthur  
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Dated: April 29, 2011

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By /s/ Anthony Deluca  
ANTHONY DELUCA  
ATTORNEY FOR DEBTOR(S)

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Dated: May 17, 2011

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By: /s/ Joseph B. Atkins  
JOSEPH B. ATKINS  
CHAPTER 7 TRUSTEE

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